

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CU-02 OES-03 L-03 H-02 PA-01

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FM AMEMBASSY BUDAPEST

TO SECSTATE WASHDC PRIORITY 5218

INFO USIA WASHDC PRIORITY

AMEMBASSY PRAGUE

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E.O. 11652: N/A

TAGS: OEXC, HU

SUBJ: PROPOSED CULTURAL/SCIENTIFIC EXCHANGE AGREEMENT

REF: 75 STATE 201490, 75 BUDAPEST 3676, 75 BUDAPEST 3909

1. AFTER INTERMINABLE DELAY AND WITHOUT PRIOR WARNING, HUNGARIAN CULTURAL INSTITUTE (KKI) TRANSMITTED ENTIRELY NEW HUNGARIAN COUNTERDRAFT ON PROPOSED CULTURAL/SCIENTIFIC EXCHANGE AGREEMENT TO EMBASSY ON FEBRUARY 5.

2. TEXT OF HUNGARIAN COUNTERDRAFT FOLLOWS:

BEGIN QUOTE:

AGREEMENT BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON COOPERATION IN CULTURE, EDUCATION, SCIENCE AND TECHNOLOGY.

THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA,

DETERMINED TO IMPLEMENT THE PROVISIONS OF THE
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FINAL ACT OF THE CONFERENCE ON SECURITY AND CO-OPERATION

IN EUROPE;

CONSIDERING THE HISTORIC TIES OF FRIENDSHIP BETWEEN
THE HUNGARIAN AND AMERICAN PEOPLES;

BELIEVING THAT CO-OPERATION IN CULTURE, EDUCATION,
SCIENCE, TECHNOLOGY AND OTHER FIELDS WILL CONTRIBUTE
TO THE BROADENING OF UNDERSTANDING BETWEEN THE HUNGARIAN
AND AMERICAN PEOPLES AND TO THE DEVELOPMENT OF MUTUALLY
BENEFICIAL RELATIONS BETWEEN THE TWO COUNTRIES;

RECOGNIZING THAT CO-OPERATION BETWEEN THE CULTURAL,
EDUCATIONAL, SCIENTIFIC AND TECHNOLOGICAL INSTITUTIONS
OF THE TWO COUNTRIES WILL CONTRIBUTE TO THE CULTURAL,
EDUCATIONAL AND MATERIAL DEVELOPMENT OF THEIR PEOPLES;
CONSIDERING THE EXISTING CO-OPERATION IN CULTURE, EDU-
CATION, SCIENCE AND TECHNOLOGY BETWEEN THE TWO COUN-
TRIES, AND DESIRING TO FURTHER THIS CO-OPERATION;
AGREE AS FOLLOWS:

ARTICLE I

1. THE PARTIES SHALL ENCOURAGE WITHIN THEIR CULTURAL
POLICIES, IN THE WAY THEY DEEM APPROPRIATE, THE FURTHER
DEVELOPMENT OF INTEREST IN THE CULTURAL HERITAGE AND
A WIDER KNOWLEDGE OF THE CULTURAL ACHIEVEMENTS OF THE
OTHER COUNTRY, BEING CONVINCED THAT SUCH A DEVELOPMENT
OF THEIR MUTUAL RELATIONS WILL CONTRIBUTE TO THE EN-
RICHMENT OF THEIR RESPECTIVE CULTURES.

TO THIS END, THE PARTIES SHALL PROMOTE CO-OPERATION
IN THE FIELDS OF CULTURE, LITERATURE, THE ARTS, EDU-
CATION, IN PARTICULAR MUSICAL EDUCATION, AND THE HU-
MANITIES.

2. THE PARTIES WILL ENCOURAGE AS WELL AS PROMOTE BY
APPROPRIATE MEANS THROUGH THEIR COMPETENT BODIES AND
INSTITUTIONS

A/THE EXCHANGE OF EXHIBITIONS AND OTHER DISPLAYS
OF CULTURAL AND EDUCATIONAL NATURE;

B/THE TRANSLATION AND PUBLICATION OF LITERARY,
SCIENTIFIC AND ARTISTIC WORKS PRODUCED IN THE OTHER
COUNTRY;

C/THE PRESENTATION OF PLAYS AND MUSICAL COMPOSITIONS
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OF THE OTHER COUNTRY;

D/THE COMMERCIAL DISTRIBUTION AND SHOWINGS ON A
NON-COMMERCIAL BASIS OF THEIR FEATURE, DOCUMENTARY AND
EDUCATIONAL FILMS; CO-OPERATION BETWEEN THEIR FILM
INSTITUTES AND EXPERIMENTAL FILM THEATRES, AS WELL AS
OTHER MUTUALLY BENEFICIAL ACTIVITIES IN THE FIELDS OF
CINEMATOGRAPHY, RADIO AND TELEVISION;

E/THE APPEARANCES OF ARTISTIC GROUPS AND

INDIVIDUAL PERFORMING ARTISTS OF THE OTHER COUNTRY;
F/THE EXCHANGE OF REPRESENTATIVES IN THE FIELDS
OF ARCHITECTURE, PAINTING, SCULPTURE, LITERATURE, MUSIC,
THE THEATRE AND OTHER AREAS OF THE ARTS.

3. THE PARTIES SHALL ENCOURAGE AND PROMOTE
A/CO-OPERATION IN FIELDS OF COMMON INTEREST AMONG
UNIVERSITIES AND OTHER INSTITUTIONS OF HIGHER LEARNING,
LEARNED SOCIETIES AND CULTURAL ORGANIZATIONS;
B/THE EXCHANGE OF BOOKS, PERIODICALS AND OTHER
MATERIALS, WRITTEN OR DEMONSTRATIVE, FOR USE BY CULTURAL
AND SCIENTIFIC ORGANIZATIONS, UNIVERSITIES AND OTHER
INSTITUTIONS OF HIGHER LEARNING AND LEARNED SOCIETIES;
C/CO-OPERATION IN THE ORGANIZATION OF JOINT RE-
SEARCH, CONFERENCES AND SYMPOSIA;
D/THE EXCHANGE OF GRADUATE STUDENTS, LECTURERS,
SCHOLARS, RESEARCHERS, PROFESSORS, EDUCATIONAL AND OTHER
SPECIALISTS.

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4. THE PARTIES WILL FACILITATE VISITS TO PUBLIC LIBRARIES,
ARCHIVES AND MUSEUMS FOR RESEARCHERS OF THE OTHER
COUNTRY. THESE FACILITIES WILL BE PROVIDED WITH RESPECT
TO THE REGULATIONS IN FORCE IN THE RECEIVING COUNTRY.

5. THE PARTIES SHALL MAKE EVERY EFFORT TO ENSURE AN OBJECTIVE PRESENTATION OF THE OTHER COUNTRY IN THE TEXT-BOOKS USED IN THEIR RESPECTIVE EDUCATIONAL INSTITUTIONS.

6. THE PARTIES SHALL INVESTIGATE, WITH A VIEW TO CONCLUDING A SEPARATE AGREEMENT, THE CONDITIONS FOR THE MUTUAL RECOGNITION AS VALID OF THE DOCUMENTS AND DIPLOMAS CERTIFYING STUDIES PURSUED, ACADEMIC AND SCIENTIFIC DEGREES OBTAINED AND EXAMINATIONS TAKEN IN THE OTHER COUNTRY.

ARTICLE II

1. THE PARTIES SHALL ENCOURAGE AND FACILITATE EXCHANGES AND CO-OPERATION IN THE FIELDS OF SOCIAL AND NATURAL SCIENCE, ON THE BASIS OF MUTUAL BENEFIT, AND SHALL LIMITED OFFICIAL USE

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PROVIDE APPROPRIATE OPPORTUNITIES FOR CONTACTS AND JOINT ACTIVITIES IN SPECIALIZED FIELDS AND TOPICS OF COMMON INTEREST BETWEEN SCIENTIFIC INSTITUTIONS, ORGANIZATIONS, UNIVERSITIES AND OTHER INSTITUTIONS OF HIGHER LEARNING AND RESEARCH INSTITUTES.

2. IN ORDER TO DEVELOP AND EXPAND CO-OPERATION AS DESCRIBED UNDER ITEM II/1, THE PARTIES SHALL MUTUALLY PROMOTE

A/VISITS, STUDY-TRIPS AND CONSULTATIONS OF SCIENTISTS, RESEARCHERS AND OTHER SPECIALISTS;

B/JOINT DEVELOPMENT AND IMPLEMENTATION OF PROGRAMS AND PROJECTS INCLUDING JOINT RESEARCH AND THE EXCHANGE OF RESEARCH RESULTS AND EXPERIENCE;

C/ORGANIZATION OF JOINT COURSES, CONFERENCES AND SYMPOSIA;

D/THE EXCHANGE OF SCIENTIFIC FILMS;

E/ORGANIZATION OF SCIENTIFIC EXHIBITIONS AND OTHER DISPLAYS ON A NON-COMMERCIAL BASIS

3. THE PARTIES SHALL TAKE ALL APPROPRIATE MEASURES TO ENCOURAGE AND ACHIEVE THE FULFILLMENT OF THE FOLLOWING AGREEMENTS:

A/THE AGREEMENT BETWEEN THE INSTITUTE FOR CULTURAL RELATIONS OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE INTERNATIONAL RESEARCH AND EXCHANGES BOARD OF THE UNITED STATES OF AMERICA;

B/THE MEMORANDUM OF UNDERSTANDING BETWEEN THE ACADEMY OF SCIENCES OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED

STATES OF AMERICA.

ARTICLE III

1. THE PARTIES SHALL ENCOURAGE AND FACILITATE EXCHANGES AND CO-OPERATION IN THE FIELDS OF APPLIED SCIENCE AND TECHNOLOGY, ON THE BASIS OF MUTUAL BENEFIT, AND SHALL PROVIDE APPROPRIATE OPPORTUNITIES FOR CONTACTS AND JOINT ACTIVITIES IN SPECIALIZED FIELDS AND TOPICS OF COMMON INTEREST BETWEEN ENTERPRISES, SCIENTIFIC AND TECHNOLOGICAL ORGANIZATIONS AND RESEARCH INSTITUTES LIMITED OFFICIAL USE

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OF THE TWO COUNTRIES.

2. IN ORDER TO DEVELOP AND EXPAND SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION AS DESCRIBED UNDER ITEM III/1, THE PARTIES SHALL MUTUALLY PROMOTE

A/VISITS, STUDY-TRIPS AND CONSULTATIONS OF SCIENTISTS, RESEARCHERS AND OTHER SPECIALISTS;

B/JOINT DEVELOPMENT AND IMPLEMENTATION OF PROGRAMS AND PROJECTS IN AREAS OF COMMON INTEREST, INCLUDING JOINT RESEARCH, DEVELOPMENT, TESTING AND THE EXCHANGE OF RESEARCH RESULTS AND EXPERIENCE;

C/ORGANIZATION OF JOINT COURSES, CONFERENCES AND SYMPOSIA;

D/EXCHANGE AND JOINT PRODUCTION OF SCIENTIFIC AND TECHNICAL FILMS;

E/ORGANIZATION OF SCIENTIFIC AND TECHNICAL EXHIBITIONS AND DISPLAYS ON A NON-COMMERCIAL BASIS;

F/EXCHANGE OF SCIENTIFIC AND TECHNICAL DOCUMENTATION AND INFORMATION;

G/EXCHANGE OF BOOKS, PERIODICALS AND OTHER PUBLICATIONS OF A SCIENTIFIC OR TECHNICAL NATURE THROUGH COMMERCIAL CHANNELS AND BY DONATION;

H/THE ELABORATION OF THE SCIENTIFIC AND TECHNOLOGICAL CONDITIONS FOR INDUSTRIAL CO-OPERATION.

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3. THE PARTIES SHALL TAKE ALL APPROPRIATE MEASURES TO ENCOURAGE AND ACHIEVE THE FULFILLMENT OF THE AGREEMENT BETWEEN THE INSTITUTE FOR CULTURAL RELATIONS OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE NATIONAL SCIENCE FOUNDATION OF THE UNITED STATES OF AMERICA.

4. THE PARTIES SHALL ENCOURAGE CO-OPERATION BETWEEN THE TWO COUNTRIES IN MEDICAL SCIENCE AND SHALL URGE THE CONCLUSION OF A SEPARATE AGREEMENT TO THIS END BETWEEN THEIR RESPECTIVE HEALTH AUTHORITIES.

5. THE PARTIES SHALL ENCOURAGE SCIENTIFIC CO-OPERATION BETWEEN THEIR INSTITUTIONS ASSIGNED TO PERFORM IMPORTANT NATIONAL TASKS, AMONG OTHER THE HUNGARIAN NATIONAL WATER AUTHORITY AND THE RESPECTIVE AMERICAN INSTITUTION, AND TO THIS END THE CONCLUSION OF SEPARATE AGREEMENTS.

ARTICLE IV

THE PARTIES SHALL ENCOURAGE CO-OPERATION BETWEEN THE SPORTS ORGANIZATIONS OF THE TWO COUNTRIES, IN PART-LIMITED OFFICIAL USE

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CULAR, THE ORGANIZATION OF INDIVIDUAL AND TEAM EXHIBITIONS AND COMPETITIONS, THE THE EXCHANGE OF SPECIALISTS IN PHYSICAL EDUCATION AND SPORTS.

ARTICLE V

FOR THE PURPOSE OF IMPLEMENTING THIS AGREEMENT, THE

PARTIES SHALL ESTABLISH A HUNGARIAN-AMERICAN JOINT COMMISSION.

THE JOINT COMMISSION, WHICH SHALL MEET IN BUDAPEST AND WASHINGTON ALTERNATELY, SHALL APPOINT SUB-COMMISSIONS FOR THE PURPOSE OF ELABORATING SEPARATE PERIODIC WORKING PROGRAMS IN THE FIELDS OF CULTURAL AND EDUCATIONAL, SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION RESPECTIVELY, INCLUDING THE ADMINISTRATIVE AND FINANCIAL PROVISIONS OF IMPLEMENTATION. THE EXECUTION OF THE SAID WORKING PROGRAMS SHALL BE ENTRUSTED TO THE COMPETENT AGENCIES OF THE TWO PARTIES.

ARTICLE VI

THE PROVISIONS OF THIS AGREEMENT SHALL NOT AFFECT THE REGULATIONS OF THE DOMESTIC LAWS OF EITHER PARTY. THE RESPONSIBILITIES ASSUMED BY EACH GOVERNMENT UNDER THIS AGREEMENT SHALL BE SUBJECT TO ITS CONSTITUTION AND APPLICABLE LAWS AND REGULATIONS. THE OBJECTIVES OF THIS AGREEMENT SHALL BE ACHIEVED THROUGH THE GOVERNMENT AGENCIES OF THE TWO PARTIES.

ARTICLE VII

THIS AGREEMENT DOES NOT PRECLUDE ADDITIONAL EXCHANGES AND CO-OPERATION TO BE ARRANGED BY MUTUAL AGREEMENT OF THE TWO PARTIES.

ARTICLE VIII

THIS AGREEMENT SHALL ENTER INTO FORCE PROVISIONALLY ON THE DAY IT IS SIGNED AND SHALL ENTER INTO FORCE DEFINITELY UPON THE DATE OF WRITTEN NOTIFICATION FROM THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC LIMITED OFFICIAL USE

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TO THE GOVERNMENT OF THE UNITED STATES OF AMERICA THAT THE AGREEMENT HAS BEEN APPROVED BY THE PRESIDENTIAL COUNCIL OF THE HUNGARIAN PEOPLE'S REPUBLIC.

THIS AGREEMENT SHALL REMAIN IN FORCE FOR FIVE YEARS. IT MAY BE MODIFIED OR EXTENDED BY MUTUAL AGREEMENT OF THE PARTIES, AND MAY BE TERMINATED BY EITHER PARTY UPON SIX MONTHS' WRITTEN NOTICE TO THE OTHER PARTY. IT SHALL REMAIN IN FORCE FOR ANOTHER FIVE YEARS UNLESS EITHER PARTY SHALL HAVE GIVEN WRITTEN NOTICE OF TERMINATION NOT LATER THAN SIX MONTHS BEFORE THE AGREEMENT IS DUE TO EXPIRE.

IN WITNESS WHEREOF THE RESPECTIVE REPRESENTATIVES, DULY AUTHORIZED FOR THE PURPOSE, HAVE SIGNED THIS AGREEMENT.

DONE IN DUPLICATE AT, THIS DAY OF
19 . ., IN THE ENGLISH AND HUNGARIAN LANGUAGES, BOTH
EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF THE FOR THE GOVERNMENT OF THE
HUNGARIAN PEOPLE'S REPUBLIC UNITED STATES OF AMERICA.

END QUOTE.

3. EMBASSY COMMENTS ON LATEST HUNGARIAN COUNTERDRAFT AND ITS
RECOMMENDATIONS ON TACTICS FOLLOW SEPTELS.
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